



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Daniel J. Powers et al.  
SERIAL NO.: 09/418,536 EXAMINER: Frances P. Oropeza  
FILED: October 14, 1999 ART UNIT: 3762  
FOR: METHOD AND APPARATUS FOR PROVIDING ON-SCREEN  
INCIDENT REVIEW IN AN AED

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#24  
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**REQUEST FOR RECONSIDERATION AFTER FINAL REJECTION**

Dear Sir:

In response to the Final Office Action dated September 17, 2003, the Applicant hereby requests reconsideration of the above-identified application in view of the following comments.

1. Claims 1-12, 14 and 1828 stand rejected under 35 U.S.C. §103 as being unpatentable over Skelton (U.S. 6,292,692) in view of Rockwell (U.S. 6,141,584).
2. Claims 13 and 15-16 stand rejected under 35 U.S.C. §103(a) as allegedly being obvious of Skelton and Rockwell in view of Powers et al. (U.S. 5,879,374).

Applicants traverse these rejections and respectfully submit that none of the instant claims are obvious from these references.

Skelton discloses a medical treatment device with passcode control so that people with a varying range of AED experience can utilize the device quickly and provide emergency service commensurate with their skill level. In that light, it should be understood that Skelton includes a series of treatment modules. Aside from a defibrillator module, other modules include pacing therapy, pulse oximeter data, blood pressure data, blood gas data and pulse data. In addition, the remaining modules of Skelton include a pre-amplifier, a printer or a log of medical treatment (column 4, lines 9-20). Several tiers of treatment (specifically a first, second and third tier) are passcode protected based on the skill level of the person using the equipment.

Different functions from the modules may be available to a user. For example, as the Office Action points out, in some modes of operation, data recording or log operations may be allowed (col. 6, lines 20-25). Recorded data may also be made available to the user (col. 6, lines 20-23).

However, nothing found Skelton states that the recorded data can be displayed on the display 24 to the user. In contrast, Skelton specifically states that the recorded data may be printed in certain situations (see col. 10, lines 64-66, and Fig. 7). While Skelton does state that treatment summaries may be indicated on a screen portion 122 (see col. 11, lines 21-25), nothing indicates that previously recorded ECG data can be displayed.

Nevertheless, the Office Action takes the position that Skelton teaches displaying recorded ECG data. This position is apparently based at least on the disclosure at col. 12, lines 13-16, of Skelton. But, a careful review of Skelton reveals that no such teaching is

disclosed. In particular, col. 12, lines 13-16, of Skelton make reference to Fig. 8, which shows a configuration screen. While Fig. 8 does show a display button and a recorder button, nothing found in Skelton indicates that recorded ECG data can be displayed. Moreover, the specific language used at col. 12, lines 10-13 (i.e., “configuration of the respiration screen and optionally associated data storage”) appears to be merely indicating that current patient data (currently being displayed) can also be stored. But, again nothing found in Skelton indicates that recorded ECG data can be viewed by a user on a display.

Even more clear, is that nothing found in Skelton teaches or suggest that recorded ECG data can be displayed simultaneously with currently monitored information as recited in the independent claims. The Office Action points to the three waveforms (elements 98a-c in Fig. 4 of Skelton) as showing this claimed feature. But the specification of Skelton clearly states that the three waveforms 98a-c are associated with the “outputs of various medical treatment device modules” (see col. 9, lines 64-67). Nothing found in Skelton states that current monitored information and previously recorded ECG data is, or can be, displayed simultaneously.

Based on Applicants’ review, none of the other cited references, taken alone or in any proper combination, remedy the shortcomings of Skelton.


Accordingly, at least for these reasons, the pending claims are believed allowable over the cited art.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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Date: 10/20/03

  
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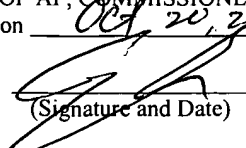
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